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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,178	12/21/2001	Thomas N. Turba	RA 5408 (33012/326/101)	9724

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EXAMINER
LY, ANH

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 08/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/027,178	TURBA ET AL.
Office Action Summary	Examiner	Art Unit	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is response to Applicants' AMENDMENT filed on 06/15/2006.

2.   Claims 1-25 are pending in this Application.

Request for Continued Examination (RCE)

3.   The request filed on 06/15/2006 for a Request for Continued Examination (RCE)

under 37 CFR 1.114 based on parent Application No. 10/027,178 is acceptable and a

RCE has been established. An action on the RCE follows.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

5.   A patent may not be obtained though the invention is not identically disclosed or described as set forth
in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
are such that the subject matter as a whole would have been obvious at the time the invention was made to a
person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived
by the manner in which the invention was made.

6.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Patent No.: US 6,810,429 B1 issued to Walsh et al. (hereinafter Walsh) in view of

Patent No.: US 6,643,633 issued to Chau et al. (hereinafter Chau).

With respect to claim 1, Walsh teaches in a data processing system including a

legacy database management system having a command language coupled to a

publicly accessible digital data communication network (figs. 1a & 1b, legacy enterprise

system with Oracle database and web browser, over Internet network having Internet

server to provide Internet services: col. 2, lines 35-67, col. 3, lines 45-67 and col. 4,

lines 6-52), the improvement comprising:

a user terminal coupled to said legacy data base management system via said

publicly accessible digital data communication network (see fig. 1a, col. 1, lines 35-42

and col. 3, lines 48-60);

a service request generated by said user terminal transferred to said legacy data

base management system for honoring through execution of said command language

by said legacy data base management system thereby producing temporary

computational data (sending or generating a transaction (as a request) to legacy system

: col. 5, lines 10-15 and col. 7, lines 18-24; using script language such as HTML to

produce or generate data/information: col. 8, lines 60-67 and col. 9, lines 1-12); and

a facility responsively coupled to said legacy data base management system

which saves said temporary computational data as a table for later use in response to a

command from said user terminal (see fig. 2, lines 30-67 and col. 16, lines 10-58 and for

subsequent use: col. 11, lines 30-38).

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach

temporary computational data as a table.

However, Chau teaches the result is save in a cache such as a temporary table

(col. 49, lines 25-32 and col. 50, lines 28-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 2, Walsh teaches the improvement as discussed in claim 1.

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach wherein

said facility further comprises a repository.

However, Chau teaches the repository for XML document (col. 9, lines 12-18 and

col. 25, lines 30-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 3, Walsh teaches wherein said service request further

comprises a plurality of sequential text lines of said command language executable by

said legacy data base management system (sequential lines of text in HTML, XML and

DTD: col. 10, lines 1-67).

With respect to claim 4, Walsh teaches wherein said service request is generated

by said user terminal by completing a screen presented by said legacy data base

management system (col. 7, lines 35-48).

With respect to claim 5, Walsh teaches wherein said screen includes a plurality

of sources and a plurality of destinations for said table (col. 7, lines 35-48 and col. 9,

lines 58-67 and col. 10, lines 1-67).

With respect to claim 6, Walsh teaches a user terminal which generates a service

request (figs. 1b, 3 and 4);

a publicly accessible digital data communication network responsively coupled to

said user terminal (see fig. 1a, col. 1, lines 35-42 and col. 3, lines 48-60; and sending or

generating a transaction (as a request) to legacy system : col. 5, lines 10-15 and col. 7,

lines 18-24);

a legacy data base management system having an internal format different from

XML responsively coupled to said publicly accessible digital data communication

network which receives said service request via said publicly accessible digital data

communication network which honors said service request be executing an ordered

sequence of command language statements producing temporary computational data

and a result (fig. 3, mapping legacy format and XML format: col. 10, lines 1-30 and

using script language such as HTML to produce or generate data/information: col. 8,

lines 60-67 and col. 9, lines 1-12); and

a facility responsively coupled to said legacy data base management system for

storing said temporary computational data within said legacy data base management

system as a table for future use in response to a selection by said user terminal (see fig.

2, lines 30-67 and col. 16, lines 10-58 and for subsequent use: col. 11, lines 30-38).

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach

temporary computational data as a table.

However, Chau teaches the result is save in a cache such as a temporary table

(col. 49, lines 25-32 and col. 50, lines 28-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 7, Walsh teaches publicly accessible digital data

communication system further comprises the Internet (figs.1b and 3, web browser, as

Internet network: col. 3, lines 52-65).

With respect to claim 8, Walsh teaches the apparatus as discussed in claim 6.

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach wherein

said facility further comprises a repository.

However, Chau teaches the repository for XML document (col. 9, lines 12-18 and col. 25, lines 30-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Walsh with the teachings of Chau. One having ordinary skill in the art would have found it motivated to utilize the use of storing the data in a temporary table in a cache for late user as disclosed (Chau's col. 40, lines 25-32), into the system of Walsh for enabling many users in different location to access information in data sources sorted in different location over Internet computer network, thereby, improving the technique of selecting, retrieving and storing data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 9, Walsh teaches wherein said future use further comprises honoring of a subsequent service request (col. 5, lines 40-48 and col. 6, lines 62-67).

With respect to claim 10, Walsh teaches wherein said future use further comprises completion of honoring said service request (col. 5, lines 40-48 and col. 6, lines 62-67).

With respect to claim 11, Walsh teaches a method of Interfacing a user terminal to a legacy data base management system having an incompatable input protocol via a publicly accessible digital data communication network (figs. 1a & 1b, legacy enterprise system with Oracle database and web browser, over Internet network having Internet server to provide Internet services: col. 2, lines 35-67, col. 3, lines 45-67 and col. 4, lines 6-52 and using different communications protocols: col. 2, lines 45-55); comprising:

transferring a service request from said user terminal to said legacy data base

management system via said publicly accessible digital data communication network

(see fig. 1a, col. 1, lines 35-42 and col. 3, lines 48-60);

converting said service request to said incompatible input protocol (converting

legacy data into XML document: abstract and col. 5, lines 40-48);

commencing the honoring of said service request by said legacy data base

management system to produce an interim computational state (fig. 3, mapping legacy

format and XML format: col. 10, lines 1-30 and using script language such as HTML to

produce or generate data/information: col. 8, lines 60-67 and col. 9, lines 1-12); and

storing said interim computational state for future use in response to a request

from said user terminal (see fig. 2, lines 30-67 and col. 16, lines 10-58 and for

subsequent use: col. 11, lines 30-38).

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach

temporary computational data as a table.

However, Chau teaches the result is save in a cache such as a temporary table

(col. 49, lines 25-32 and col. 50, lines 28-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 12, Walsh teaches the method as discussed in claim 11.

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach wherein

said facility further comprises a repository.

However, Chau teaches the repository for XML document (col. 9, lines 12-18 and

col. 25, lines 30-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 13, Walsh teaches wherein said storing the step is initiated

from a screen (col. 7, lines 35-48 and col. 9, lines 58-67 and col. 10, lines 1-67).

With respect to claim 14, Walsh teaches wherein said screen provides for

selection of destination (col. 7, lines 35-48 and col. 9, lines 58-67 and col. 10, lines 1-

67).

With respect to claim 15, Walsh teaches wherein said publicly accessible digital

data communication network further comprises the Internet (figs. 1b and 3, web

browser, as Internet network: col. 3, lines 52-65).

With respect to claim 16, Walsh teaches means for generating a service request

(figs. 1b, 3 and 4);

transferring means responsively coupled to said generating means for

transferring said service request via a publicly accessible digital data communication

network (see fig. 1a, col. 1, lines 35-42 and col. 3, lines 48-60);

providing means responsively coupled to said transferring means for providing

legacy data base management functions to honor said service request and producing

temporary computational data (fig. 3, mapping legacy format and XML format: col. 10,

lines 1-30 and using script language such as HTML to produce or generate

data/information: col. 8, lines 60-67 and col. 9, lines 1-12);

converting means responsively coupled to said providing means for converting

said service request into a compatible with said providing means (converting legacy

data into XML document: abstract and col. 5, lines 40-48); and

storing means responsively coupled to said providing means for storing for future

use said temporary computational data generated by said providing means in honoring

said service request in response to a command from said user terminal (see fig. 2, lines

30-67 and col. 16, lines 10-58 and for subsequent use: col. 11, lines 30-38).

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach

temporary computational data as a table.

However, Chau teaches the result is save in a cache such as a temporary table

(col. 49, lines 25-32 and col. 50, lines 28-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 17, Walsh teaches the apparatus as discussed in claim 16.

Walsh teaches a legacy database management system such a legacy enterprise

system with legacy application and user with a terminal or mobile terminal such as

laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach wherein

said facility further comprises a repository.

However, Chau teaches the repository for XML document (col. 9, lines 12-18 and

col. 25, lines 30-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 18, Walsh teaches wherein said converting means further

comprises means for defining a format of said service request (converting legacy data

into XML document: abstract and col. 5, lines 40-48 and col. 10, lines 1-30).

With respect to claim 19, Walsh teaches wherein said transmitting means further comprises the Internet (figs.1b and 3, web browser, as Internet network: col. 3, lines 52-65).

With respect to claim 20, Walsh teaches wherein said storing means stores said computational state for future user (subsequent use: col. 11, lines 32-38).

With respect to claim 21, Walsh teaches a user terminal, which generates said service request in accordance with a first protocol (communication protocol: col. 2, lines 42-55 and col. 7, lines 18-24);

a publicly accessible digital data communication network responsively coupled to said user terminal (see fig. 1b, col. 3, lines 52-67);

a legacy data base management system which honors said service request by executing a sequence of command language script in accordance with a second protocol responsively coupled to said user terminal via said publicly accessible digital data communication network which receives said service request via said publicly accessible digital data communication network (see fig. 1a, col. 1, lines 35-42 and col. 3, lines 48-60);

a converter responsively coupled to said legacy data base management system which converts said (converting legacy data into XML document: abstract and col. 5, lines 40-48); and

a facility responsively coupled to said legacy data base management system for storing the computational state of said legacy data base management system as a table for future use during execution of said sequence of command language script in

response to a command from said user terminal (see fig. 2, lines 30-67 and col. 16, lines 10-58 and for subsequent use: col. 11, lines 30-38).

Walsh teaches a legacy database management system such a legacy enterprise system with legacy application and user with a terminal or mobile terminal such as laptop from which the service request or transaction is to be sent out to legacy system with script language command in HTML forms and the data/information is on DTD or XML format storing in cache for subsequent use. Walsh does not clearly teach temporary computational data as a table.

However, Chau teaches the result is save in a cache such as a temporary table (col. 49, lines 25-32 and col. 50, lines 28-48).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Walsh with the teachings of Chau. One having ordinary skill in the art would have found it motivated to utilize the use of storing the data in a temporary table in a cache for late user as disclosed (Chau's col. 40, lines 25-32), into the system of Walsh for enabling many users in different location to access information in data sources sorted in different location over Internet computer network, thereby, improving the technique of selecting, retrieving and storing data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 22, Walsh teaches the apparatus as discussed in claim 21.

Walsh teaches a legacy database management system such a legacy enterprise system with legacy application and user with a terminal or mobile terminal such as laptop from which the service request or transaction is to be sent out to legacy system

with script language command in HTML forms and the data/information is on DTD or

XML format storing in cache for subsequent use. Walsh does not clearly teach wherein

said facility further comprises a repository.

However, Chau teaches the repository for XML document (col. 9, lines 12-18 and

col. 25, lines 30-38).

Therefore, it would have been obvious to a person of ordinary skill in the art at

the time the invention was made to combine the teachings of Walsh with the teachings

of Chau. One having ordinary skill in the art would have found it motivated to utilize the

use of storing the data in a temporary table in a cache for late user as disclosed (Chau's

col. 40, lines 25-32), into the system of Walsh for enabling many users in different

location to access information in data sources sorted in different location over Internet

computer network, thereby, improving the technique of selecting, retrieving and storing

data into XML documents (Chau's col. 1, lines 28-32 and col. 2, lines 32-52).

With respect to claim 23, Walsh teaches wherein said publicly accessible digital

data communication system further comprises the Internet (figs.1b and 3, web browser,

as Internet network: col. 3, lines 52-65).

With respect to claim 24, Walsh teaches wherein said future use further

comprises honoring of a subsequent service request (col. 5, lines 40-48 and col. 6, lines
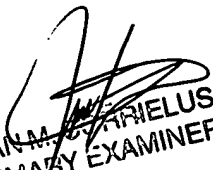
62-67).

With respect to claim 25, Walsh teaches wherein said future use further

comprises completion of honoring said service request (col. 5, lines 40-48 and col. 6,

lines 62-67).

Contact Information

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or

via E-Mail: ANH.LY@USPTO.GOV **(Written Authorization being given by**

Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's

personal Fax No.). The examiner can normally be reached on TUESDAY –

THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone

are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571)

272-4107 or **Primary Examiner: Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed

to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to:

Central Fax Center: (571) 273-8300

ANH LY
AUG. 2nd, 2006

JEAN CORRIELUS
PRIMARY EXAMINER